

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**NEW YORK LIFE INSURANCE
AND ANNUITY CORPORATION,**

Plaintiff,

Case No.: 4:21-cv-490-O

v.

**Barbara Brown Family Trust DTD 3/12/2010;
Barbara Jean Brown Living Trust DTD 3/12/2010;
Sharon Kay Britton and Ken Britton, as co-Trustees of the
Barbara Jean Brown Family Trust DTD 3/12/2010;
Barbara Jean Brown Living Trust DTD 5/29/2018; Bob Shelton,
as Trustee of Barbara Jean Brown Living Trust DTD 5/29/2018,**

Defendants.

ORDER FOR RELIEF IN INTERPLEADER AND DISMISSAL OF PLAINTIFF

The Court having reviewed the Motion for Relief in Interpleader and Dismissal submitted by Plaintiff The New York Life Insurance and Annuity Corporation (“NYLIAC”), and good cause having been shown,

IT IS ORDERED as follows:

1. NYLIAC is discharged from any and all liability to Defendants Barbara Brown Family Trust DTD 3/12/2010; Barbara Jean Brown Living Trust DTD 3/12/2010; Sharon Kay Britton and Ken Britton, as co-Trustees of the Barbara Jean Brown Family Trust DTD 3/12/2010; Barbara Jean Brown Living Trust DTD 5/29/2018; and Bob Shelton, as Trustee of Barbara Jean Brown Living Trust DTD 5/29/2018 (collectively the “Defendants”) relating to the Death Benefits, which have been deposited into the registry of this Court pursuant to Court Order dated May 4,

2021 (ECF Doc. No. 13), and/or NYLIAC Annuity Policy No. XXXX0198 and Annuity Policy No. XXXX9460 (the “Policies”).

2. The Defendants shall be, and hereby are, permanently enjoined from instituting or prosecuting any claims or actions in any forum against NYLIAC with respect to the Death Benefits and/or the Policies;

3. NYLIAC shall be, and hereby is, dismissed from the above-captioned action with prejudice; and

4. NYLIAC shall be awarded its attorneys’ fees, disbursements, and costs incurred in connection with this action in the amount of \$_____, to be distributed to NYLIAC’s counsel of record from the funds on deposit.

This ORDER shall be deemed a final judgment in accordance with Fed. R. Civ. P. 54(b), there being no just reason for delay.

Entered this ____ day of _____ 2021.

Reed O’ Connor
UNITED STATES DISTRICT JUDGE